

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KATRINA McGREW,

Plaintiff,

Case No. 16-cv-10978

v.

HON. DENISE PAGE HOOD

SERGEANT DUNCAN, et al.,

Defendants.

**ORDER STAYING CASE
AND
ADMINISTRATIVELY CLOSING CASE**

Defendants in this matter filed a Notice of Appeal from the Court's Order granting in part and denying in part Defendants' Motion for Summary Judgment. (Doc. No. 55) "A denial of summary judgment is generally not a final judgment." *Haynes v. City of Circleville, Ohio*, 474 F.3d 357, 361 (6th Cir. 2007)(quoting *Hoover v. Radabaugh*, 307 F.3d 460, 465 (6th Cir. 2002)). A denial of a motion for summary judgment on the ground of qualified immunity may be appealed as a collateral order where (1) the defendant is a public official asserting the defense of qualified immunity and (2) the issue appealed concerns not which facts the parties might be able to prove, but whether certain alleged facts reflect a violation of clearly established law. *Haynes*, 474 F.3d at 361. The Court will stay the matter until the resolution of the appeals.

See Mithcell v. Forsyth, 472 U.S. 511 (1985).

Accordingly,

IT IS ORDERED that this action is **STAYED and ADMINISTRATIVELY CLOSED**. The action may be reopened after a party provides the Court with notice that a mandate has been issued from the Sixth Circuit Court of Appeals.

S/Denise Page Hood

Denise Page Hood

Chief Judge, United States District Court

Dated: September 11, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 11, 2018, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager